

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT D. SMITH,

Defendant.

CR 18–18–M–DLC

ORDER

Before the Court is Defendant Robert D. Smith’s Unopposed Motion for Early Termination of Supervised Release. (Doc. 39.) The Government does not oppose the motion. (*Id.* at 1.) Smith’s probation officer does not object to terminating supervision in Smith’s case. (*Id.*) Smith has now successfully served 26 months of his 36-month term. (Doc. 40 at 2.)

A court may “terminate a term of supervised release . . . at any time after the expiration of one year of supervised release . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.” 18 U.S.C. § 3583(e)(1). In determining whether to terminate a term of supervised release, courts consider the factors set forth in 18 U.S.C. § 3553(a). 18 U.S.C. § 3564.

Here, “the history and characteristics of the defendant” counsel in favor of granting Smith’s motion. 18 U.S.C. § 3553(a)(1). For 26 months now, Smith has remained in full compliance with the thirteen standard conditions and seven special conditions of his supervision (*id.* at 5), which demonstrates his commitment to a law-abiding lifestyle. Furthermore, his counselor has “no concerns about his mental health at this time,” as a result of Smith’s hard work in therapy and continued community involvement. (Doc. 41-2 at 1.) Due to Smith’s progress on supervised release, the Court is convinced that the interests of justice warrant early termination of probation.

Accordingly, IT IS ORDERED that Smith’s Motion (Doc. 39) is GRANTED. The term of supervised release imposed by the October 18, 2018 Judgment (Doc. 31) is TERMINATED as of the date of this Order. Smith is DISCHARGED from the sentence of supervised release in this case.

DATED this 22nd day of December, 2020.



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Dana L. Christensen, District Judge  
United States District Court